

Service Date: December 4, 2003

FINAL ORDER NO. 6540

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
P.O. Box 202601
Helena, Montana 59620-2601

IN THE MATTER OF Valet Limousine, Inc. ,)	
Missoula, Montana, Application for a Montana)	Docket No. T-03.39.PCN
Intrastate Certificate of Public Convenience and)	Order No. 6540
Necessity.)	

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On June 23, 2003, **Valet Limousine, Inc.**, Missoula, Montana, filed an application with the Montana Public Service Commission under Title 69, MCA, to remove the existing passenger seating limitations from PSC No. 7172:

Class B - Persons and baggage in limousine service between all points and places in Flathead, Lincoln, Missoula, Lake and Glacier Counties.
Limitations: ~~1) Service is to be provided in limousine vehicle and no more than six (6) passengers may be transported in one vehicle simultaneously.~~ 2) The hiring of limousine service must be for the entire vehicle and solicitation of individual passengers to constitute a load is prohibited.

SUB A Class B - Passengers and baggage in limousines only, between all points and places in Mineral and Sanders Counties. ~~Limitations: Transportation is limited to six (6) passengers or less.~~

SUB B Class B - Passengers in limousine service from points in Missoula County to all points and places in Ravalli County. Limitations: ~~1) Transportation is limited to a maximum of six (6) passengers per vehicle.~~ 2) Transportation which originates at the Missoula County Airport is prohibited.

SUB C Class B - Passengers and personal baggage in limousine service originating from Missoula County Airport to all points and places in Ravalli County. Limitations: Transportation is limited to that provided by luxury vehicles in limousine service only ~~with a maximum of eight (8) passengers per limousine.~~ Transportation in school buses and motor coaches is prohibited; operations as a taxi or cab is prohibited. Solicitation of train crews for work-related transportation is prohibited. Transportation shall be provided to passengers by reservation only.

SUB D Class B - Passengers and personal baggage in limousine service: 1) Between all points and places in the following counties: Ravalli and Cascade; and 2) From all points and places in Ravalli and Cascade Counties to all points and places in Montana and return. Limitations: ~~1) Transportation is limited to no more than eight passengers per vehicle per trip.~~ 2) Operations as a taxi or cab is prohibited. 3) Transportation shall be provided to passengers only by advance reservation of at least two (2) hours. 4) Solicitation of train crews for work-related transportation is prohibited. 5) Service originating in Cascade County may be initiated only at the Great Falls International Airport for the purpose of picking up arriving airplane passengers. 6) Any return movements from points and places outside Ravalli and Cascade are limited to those passengers originating from these counties.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public July 9, 2003. That notice said in pertinent part:

If no written protests are received by July 28, 2003, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. Protest was filed by Mark J. Fournier dba R & B Limousine Service, Hamilton, Montana.

4. Notice of Public Hearing was issued September 3, 2003, with hearing scheduled for October 2, 2003, in Missoula, Montana

5. Prior to the hearing, applicant and protestant Mark J. Fournier dba R & B Limousine entered into negotiation and at the applicant's request the public hearing was vacated on September 25, 2003.

6. The following grant of authority was stipulated to by all parties:

Class B - Persons and baggage in limousine service between all points and places in Flathead, Lincoln, Missoula, Lake and Glacier Counties. Limitations: 1) ~~Service is to be provided in limousine vehicle and no more than six (6) passengers may be transported in one vehicle simultaneously.~~ No more than eight (8) passengers may be transported in one vehicle simultaneously for service originating or terminating in Missoula County. 2) The hiring of limousine service must be for the entire vehicle and solicitation of individual passengers to constitute a load is prohibited.

- SUB A Class B - Passengers and baggage in limousines only, between all points and places in Mineral and Sanders Counties. ~~Limitations: Transportation is limited to six (6) passengers or less.~~
- SUB B Class B - Passengers in limousine service from points in Missoula County to all points and places in Ravalli County. Limitations: 1) ~~Transportation is limited to a maximum of six (6) passengers per vehicle.~~ No more than eight (8) passengers may be transported in one vehicle simultaneously. 2) Transportation which originates at the Missoula County Airport is prohibited.
- SUB C Class B - Passengers and personal baggage in limousine service originating from Missoula County Airport to all points and places in Ravalli County. Limitations: Transportation is limited to that provided by luxury vehicles in limousine service only ~~with a maximum of eight (8) passengers per limousine~~ with a maximum of eight (8) passengers per limousine. Transportation in school buses and motor coaches is prohibited; operations as a taxi or cab is prohibited. Solicitation of train crews for work-related transportation is prohibited. Transportation shall be provided to passengers by reservation only.
- SUB D Class B - Passengers and personal baggage in limousine service: 1) Between all points and places in the following counties: Ravalli and Cascade; and 2) From all points and places in Ravalli and Cascade Counties to all points and places in Montana and return. Limitations: 1) ~~Transportation is limited to no more than eight passengers per vehicle per trip.~~ No more than eight (8) passengers may be transported in one vehicle simultaneously for service originating or terminating in Ravalli County. 2) Operations as a taxi or cab is prohibited. 3) Transportation shall be provided to passengers only by advance reservation of at least two (2) hours. 4) Solicitation of train crews for work-related transportation is prohibited. 5) Service originating in Cascade County may be initiated only at the Great Falls International Airport for the purpose of picking up arriving airplane passengers. 6) Any return movements from points and places outside Ravalli and Cascade are limited to those passengers originating from these counties.

7. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.
2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.
3. Public Convenience and Necessity require a grant of the authority stipulated to by the parties.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on Thursday, the 13th day of November, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-03.39.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of **Valet Limousine, Inc.**, Missoula, Montana, for amendments sought to Certificate of Public Convenience and Necessity PSC No. 7172, IS GRANTED to the following extent:

Class B - Persons and baggage in limousine service between all points and places in Flathead, Lincoln, Missoula, Lake and Glacier Counties. Limitations: 1) No more than eight (8) passengers may be transported in one vehicle simultaneously for service originating or terminating in Missoula County. 2) The hiring of limousine service must be for the entire vehicle and solicitation of individual passengers to constitute a load is prohibited.

SUB A Class B - Passengers and baggage in limousines only, between all points and places in Mineral and Sanders Counties.

SUB B Class B - Passengers in limousine service from points in Missoula County to all points and places in Ravalli County. Limitations: 1) No more than eight (8) passengers may be transported in one vehicle simultaneously. 2) Transportation which originates at the Missoula County Airport is prohibited.

SUB C Class B - Passengers and personal baggage in limousine service originating from Missoula County Airport to all points and places in Ravalli County. Limitations: Transportation is limited to that provided by luxury vehicles in limousine service only with a maximum of eight (8) passengers per limousine. Transportation in school buses and motor coaches is prohibited; operations as a taxi or cab is prohibited. Solicitation of train crews for work-related transportation is prohibited. Transportation shall be provided to passengers by reservation only.

SUB D Class B - Passengers and personal baggage in limousine service: 1) Between all points and places in the following counties: Ravalli and Cascade; and 2) From all points and places in Ravalli and Cascade Counties to all points and places in Montana and return. Limitations: 1) No more than eight (8) passengers may be transported in one vehicle simultaneously for service originating or terminating in Ravalli County. 2) Operations as a taxi or cab is prohibited. 3) Transportation shall be provided to passengers only by advance reservation of at least two (2) hours. 4) Solicitation of train crews for work-related transportation is prohibited. 5) Service originating in Cascade County may be initiated only at the Great Falls International Airport for the purpose of picking up arriving airplane passengers. 6) Any return movements from points and places outside Ravalli and Cascade are limited to those passengers originating from these counties.

IT IS FURTHER ORDERED that a full, true, and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 13th day of November, by a vote of 4-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Final Order issued in Docket T-03.39.PCN in the matter of **Valet Limousine, Inc.**, Missoula, Montana has today been sent to all parties listed.

MAILING DATE: December 4, 2003

FOR THE COMMISSION

FIRST CLASS MAIL

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AS ITS INTERESTS MAY APPEAR:

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